



Interagency  
Committee for  
**OUTDOOR  
RECREATION**

# **LAND & WATER CONSERVATION FUND:**

## *POLICIES & PROJECT SELECTION*

**15**

January 23, 2004

IAC's  
Mission



...Is to foster the protection and enhancement of Washington's natural and outdoor recreation resources for current and future generations. We do this through funding, technical assistance, research and policy development, coordination, advocacy, and encouraging long-term stewardship. Our service reflects a commitment to public participation, openness, fairness, and efficiency.

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## **SECTION 1 – INTRODUCTION**

<b>LWCF Program</b>	<p>The Land and Water Conservation Fund (LWCF) Program was established by the United States Congress in 1965 with the passage of the LWCF Act. The Act authorizes the Secretary of the Interior to provide financial assistance to the states for the acquisition and/or development of public outdoor recreation areas and facilities found to be in accord with the Statewide Comprehensive Outdoor Recreation Plan. The States are encouraged to share the benefits derived from the LWCF program among all state and local agencies responsible for providing public outdoor recreation opportunities.</p>
<b>Revenue Source</b>	<p>Funds for the program are derived from leaseholders of federal offshore oil and gas resources, federal recreation fees, sales of federal surplus real property, and federal motorboat fuel taxes.</p>
<b>Program Administration</b>	<p>The National Park Service (NPS), within the US Department of the Interior, manages this federal grant program. NPS is the federal agency that ultimately receives and approves all project applications, agreements and amendments.</p> <p>The Interagency Committee for Outdoor Recreation (IAC) administers the program in the state of Washington. The State Liaison Officer, who is the Director of the Interagency Committee for Outdoor Recreation (IAC), manages the expenditure of funds allocated to the state.</p>
<b>Statewide Outdoor Recreation Plan (SCORP)</b>	<p>In order to be eligible for participation in the LWCF Program, the State must prepare a statewide comprehensive outdoor recreation plan. IAC has maintained a Plan since 1967. The plan includes recommendations for meeting the State's outdoor recreation needs. The recommendations in the state plan are also used to establish funding priorities and serve as a basis for the evaluation criteria that is used to score project proposals.</p>
<b>LWCF Advisory Committee</b>	<p>IAC uses a standing advisory committee made up of representatives from state agencies, local municipal agencies, citizen representatives, and an ex-officio representative from NPS. Advisory committee members have knowledge of or general interest in, outdoor recreation of all kinds or in open space and habitat conservation. The committee's role is to recommend policy and procedures to the IAC for administering LWCF grant funds and to evaluate and score grant application requests.</p>
<b>Manual Authority</b>	<p>These policies are designed to assist both state and local agencies in applying for federal funds available under the LWCF Program. This manual summarizes the LWCF Program, presents the policies governing disbursement of federal funds, and provides project selection criteria.</p> <p>Authority for the information in this manual is found in the <i>Land and Water Conservation Fund Grants-in-Aid Manual</i> (U.S. Dept. of Interior, National Park Service) and Washington Administrative Code, Title 286. IAC's Board adopted</p>

the policies in this manual in open public meetings.

<b>Contact Information</b> <b>State Funding Agency</b>	Interagency Committee for Outdoor Recreation Natural Resources Building 1111 Washington Street, Floor 2 East P.O. Box 40917 Olympia, Washington 98504-0917	Voice (360) 902-3000 FAX (360) 902-3026 TDD (360) 902-1996 Email <a href="mailto:info@iac.wa.gov">info@iac.wa.gov</a> <a href="http://www.iac.wa.gov/">http://www.iac.wa.gov/</a>
<b>Federal Funding Agency</b>	Department of the Interior National Park Service Seattle Support Office 909 First Ave Seattle, Washington 98104-1060	Voice (206) 220-4000 FAX (206) 220-4161 <a href="http://www.nps.gov">http://www.nps.gov</a>
<b>Related Publications</b>	<p>This manual describes IAC policies and project selection criteria for the LWCF Program. It is to be used with other applicable IAC policy manuals that provide additional information, policies and procedural guidelines. Depending on the type of project submitted, program participants should be familiar with these IAC policy manuals:</p> <ul style="list-style-type: none"> <li>▸ <i>Planning Policies</i> - #2</li> <li>▸ <i>Acquiring Land: Policies</i> - #3</li> <li>▸ <i>Development Projects: Policies</i> - #4</li> <li>▸ <i>LWCF Application Manual</i> - #5L</li> <li>▸ <i>Funded Projects: Policies &amp; the Project Agreement</i> - #7</li> <li>▸ <i>Reimbursements: LAC/SRFB Grant Programs</i> - #8</li> </ul> <p>Other publications may also assist participants in the LWCF Program. These include:</p> <ul style="list-style-type: none"> <li>▸ IAC's annual grants brochure</li> <li>▸ Program schedules</li> <li>▸ State plans, and</li> <li>▸ Statutes and rules.</li> </ul> <p>Contact the Office to obtain copies of these free publications. Most publications may be downloaded from IAC's website. Upon request, each can be made available in an alternative format.</p>	
<b>Workshops</b>	<p>Contact the Office about annual application and successful applicants' workshops. Workshops are held at various times during the year, depending on each program's grant schedule. The workshops are often held in several locations around the state.</p> <p>Facility managers certify all IAC meeting sites as barrier free according to the federal Americans with Disabilities Act or WAC 51-30-1100 standards. To request other disability accommodations, such as listening aids and/or alternative format handout material, contact the Office fourteen days before the event.</p>	

**SECTION 1 – INTRODUCTION**

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**Nondiscrimination**

IAC activities are intended to follow state and federal guidelines for nondiscrimination. Persons who believe IAC or its programs are discriminatory should express concern to IAC or the Equal Opportunity Program, U.S. Department of the Interior, National Park Service, 1849 C Street NW, Room 2733, Washington, D.C. 20040

**Project Selection Timeline**

IAC generally awards LWCF grants once each year. While the order of the steps in the funding process remain consistent each grant cycle, IAC's Director may adjust actual dates. For this reason, and since other important dates exist, applicants are encouraged to obtain the full program schedule, revised before each grant cycle. Current schedules are available on our website.

**Workshops.** IAC conducts workshops annually to provide information about its funding programs. Call or visit our website for meeting time and location information.

**Letter of Intent Form Due.** This nonbinding form contains information that briefly describes the project, estimates costs, and tells IAC where to send the latest grant information. It is also used for preliminary assessment of applicant planning eligibility.

**Applications Due** Applications received or postmarked after the deadline will be returned unless IAC's Director has approved previous arrangements.

On submission of the grant application an IAC project manager is assigned to each applicant. This manager will review the applications for eligibility and other issues and generally assist the applicant with the upcoming review and evaluation processes.

If by this date an applicant has not received an IAC letter verifying that it has planning eligibility, we recommend contacting IAC staff to verify its status.

**Project Review Meeting.** Applicants are strongly encouraged to make a preliminary project presentation to the LWCF Advisory Committee and/or other reviewers. Tips are provided for improving the project proposal and preparing for the upcoming evaluation meeting. Applicants can then consult with IAC staff to decide what, if any, changes are needed to improve the project before the final grant competition. Participation is *highly* recommended for all applicants.

**Project Evaluation Meeting (*mandatory*).** At this open public meeting, applicants will present their projects to the LWCF Advisory Committee or evaluation team for scoring. The resulting ranked list of projects is the basis for IAC staff's funding recommendation to the IAC board. The evaluation instrument in this manual is the basis for scores.

**Matching Funds Availability.** For projects submitted for funding, agencies must provide proof of the availability of matching funds thirty days prior to IAC approval of funding.

**IAC Approves Funding.** IAC's board makes its funding decisions in an open public meeting where public testimony is encouraged. Applicants are encouraged, but not required to attend. The Board approves the projects for funding and

submittal to the National Park Service for their approval and obligation of funds.

**Post Approval Process.** Successful applicants submit to IAC all required post approval materials. These materials are due 90 days after funding. IAC staff prepares the application for submittal to the National Park Service for their review. Upon approval by NPS, the Director will issue a Project Agreement for implementation of the funded proposal before work commences.

**Successful Applicants' Workshop.** This scheduled orientation is for successful applicants. It covers such information as basic contractual obligations, state and federal responsibilities, fiscal requirements, and Project Agreements.



## SECTION 2 – POLICIES

<b>Purpose</b>	<p>The Land and Water Conservation Fund is a federally funded grant program administered by the IAC to assist in preserving and developing public outdoor recreation lands and facilities for the benefit of all citizens. LWCF was enacted “...to assist in preserving, developing and assuring accessibility to all citizens of the United States of America of present and future generations...such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation...”</p>
<b>Eligible Grant Recipients</b>	<p>Eligible LWCF grant recipients include cities/towns, counties, Native American Tribes, park and recreation districts, school districts, and state agencies. , Certain other special purpose districts such as port, and public utility districts are eligible if legally authorized to acquire and develop public open space, habitat or recreation facilities. Private individuals and organizations are not eligible for assistance under this program, even if they are non-profit or charitable organizations.</p> <p>All eligible applicants compete equally in a competitive public process for LWCF funds.</p>
<b>Planning Requirement</b>	<p>IAC requires the applicant to submit a plan that includes several elements, including goals and objectives, inventory, demand and need analysis, and a public involvement process. The plan must be accepted by the IAC at least three months before the meeting in which the applicant’s project is first considered for funding. Typically, once accepted, the plan provides eligibility to submit grant applications for up to six years. Refer to IAC Manual #2 for more information.</p>
<b>Perpetual Use and Project Areas</b>	<p>Property acquired, developed or renovated using LWCF assistance must be retained for public outdoor recreation use in perpetuity. The area to be retained is identified on the 6(f)(3) Boundary Map submitted by the applicant. 6(f)(3) maps are described on page 6.</p>
<b>Fund Limits</b>	<p>IAC’s Board has established a minimum grant request of \$25,000 from the LWCF account and a maximum grant request of \$500,000 from the LWCF account for each project application.</p>
<b>Matching Resources</b>	<p>Recipients of LWCF grant awards must provide a minimum 50% non-IAC match toward the project. All matching resources must be an integral and necessary part of the approved project and must be eligible for LWCF assistance. Matching resources may include cash appropriations, bonds, donations, grants, labor, equipment, materials, etc.</p> <p>The Act prohibits use of other federal funds to pay the State or local matching share of an LWCF project. However, in those instances where a subsequent federal grant program explicitly allows recipients to use such assistance to match, a matching arrangement is permissible.</p> <p>Applicants must provide written assurance that matching are available at least</p>

one calendar month prior to the meeting at which the project is to be considered for funding (WAC 286-13-040 (3)). Projects without proof of matching fund availability may be declared ineligible and passed over for other projects that have their matching share in place. Such decisions are based on IAC's confidence in the applicant's ability to have the match in place when required. For projects requiring ballot issues to secure the required local matching share, applicants are advised to plan accordingly to ensure the match can be certified before funding consideration.

**Reimbursement** Project sponsors do not receive grant funds at the time of project approval. The project sponsor must pay the incurred expenses and submit a request to IAC for reimbursement. Reimbursement requests must be periodically submitted during the project period to reclaim out-of-pocket expenses related to the project. Billing procedures are explained further in IAC Participation Manual #8.

**Eligible Cost Period** Only acquisition or development project elements performed after state and federal approval and issuance of a signed Project Agreement are eligible for funding, except for eligible pre-agreement costs incurred within three years of submittal of the application to NPS. These include preliminary designs, environmental assessments, construction plans and specifications, permits, etc.

Construction performed prior to having a signed Project Agreement with IAC will not be eligible and may jeopardize funding for the entire project.

**Eligible Projects** Funds are available for the acquisition of real property or for the development or renovation of public outdoor recreation facilities. Project proposals must be consistent with the outdoor recreation goals and objectives contained in the Statewide Comprehensive Outdoor Recreation Plan (SCORP), and recreation elements of local comprehensive plans. A phased proposal must stand alone on its own merits as a viable project that is not dependent on other, future phases.

Examples of public park facilities that are eligible for LWCF funding include:

- ▶ Athletic fields, multipurpose courts, playgrounds, skate parks, etc.
- ▶ Marine facilities (boating, water access, etc.)
- ▶ Campgrounds, picnic shelters
- ▶ Community gardens
- ▶ Golf courses
- ▶ Natural areas, open space
- ▶ Shooting and archery ranges
- ▶ Ski areas, ice skating ponds, snowmobile facilities
- ▶ Swim beaches and pools
- ▶ Support facilities such as parking, restrooms, storage, and utilities
- ▶ Trails (including interpretive) and pathways
- ▶ Vistas and view points
- ▶ Wildlife management areas (fishing and/or hunting).

**Eligible Acquisition Costs** Acquisition of lands and waters for public outdoor recreation may be eligible for assistance. Projects may include acquisition of structures and improvements

that (a) are to be used primarily for outdoor recreation and outdoor recreation support activities or are a part of the outdoor recreation area to be acquired, or (b) are part of the outdoor recreation area to be acquired, and to be removed or demolished. Project sponsors must list all improvements and their proposed use or disposition in the application.

Eligible acquisition costs include:

- Land & improvements
- Relocation of eligible occupants, including administrative costs

Appraisals for all acquisition projects, although not eligible for reimbursement, must meet Uniform Appraisal Standards for Federal Land Acquisition.

#### **Ineligible Acquisition Projects**

The following are not eligible for LWCF funding:

- Acquisition of historic sites and structures
- Acquisition of museums and sites to be used for museums or primarily for archeological excavations
- Acquisition of land to help meet a public school's minimum site size requirement, as established by State or local regulations
- Acquisition of areas and facilities designed to be used primarily for semi-professional and professional arts and athletics
- Acquisition of areas and facilities to be used solely for game refuges or fish production purposes
- Acquisition of areas to be used mainly for the construction of indoor facilities except for covered swimming pools and ice rinks
- Acquisition of railroad "hardware," trestles, stations, yards, etc...
- Acquisition of sites containing luxury lodges, motels, cabins, and similar elaborate facilities which are to be operated by the project sponsor or a concessionaire to serve recreationist's with food and sleeping quarters
- Acquisition of agricultural land primarily for preservation in agricultural purposes
- Acquisition of Federal surplus property unless legislatively authorized in a specific situation
- Acquisition of scholastic and intercollegiate facilities

#### **Acquisition Methods**

Acquisition can be by fee simple title or by whatever lesser rights will ensure the desired public use. Acquisition of lands and waters, or interests therein may be accomplished through purchase, eminent domain, transfer, or by gift.

#### **Acquisition of Lesser Interests**

Proposed acquisitions of interests in lands and waters of less than fee simple title are not encouraged unless such lesser rights (e.g., permanent recreation use easements or similar devices) will ensure the desired public access and use. No approval will be given for the acquisition of leasehold interests.

#### **Uniform Relocation and Acquisition**

All acquisitions with Fund assistance must be made in accordance with the applicable provisions of Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

**Waiver of Retroactivity** A waiver of retroactivity for land acquisition may be requested only when immediate action is necessary and the time necessary to process an application would result in a significant opportunity being lost. When a waiver is approved, it allows the sponsor to acquire the property in advance of a signed project agreement without forfeiting eligibility. Approval of a waiver does not, however, guarantee funding. When approved, a waiver issued by NPS is good for two federal fiscal years. In all cases, projects for which a waiver has been granted must be submitted within one fiscal year following the fiscal year in which the waiver was approved.

For information on what materials to submit for a waiver of retroactivity request, please refer to IAC Manual #3: Acquiring Land: Policies.

**Eligible Development/Renovation Costs** . Funding for development projects may include construction, renovation, site planning, demolition, site preparation, architectural and engineering services, and similar activities that are essential to complete the proposed project scope.

**Ineligible Development Costs** The following items are not eligible for federal assistance:

- Bonus payments of any kind.
- Ceremonial or entertainment expenses.
- Charges in excess of the lowest bid when competitive bidding is required.
- Costs of discounts not taken.
- Damage judgments whether determined by judicial decision, arbitration, or otherwise.
- Donations or contributions made by the project sponsor, such as to a charitable organization.
- Employee facilities, including residences, appliances, office equipment, furniture, etc.
- Expenses for publicity.
- Fines and penalties.
- Incidental costs relating to acquisition of real property or interests therein.
- Interest expenses.
- Items not listed in project scope.
- Lands acquired from the federal government at less than fair market value.
- Legal, professional fees paid in connection with raising funds.
- Operation and maintenance costs of recreational areas and facilities.
- Salaries and expenses of the chief executive of the project sponsor (mayor, etc.) or the local government body (city, county, etc.).
- Taxes that the project sponsor would not have been liable to pay.

**NPS Approval** After Board approval, LWCF grant applicants must provide supplemental information required by IAC and the National Park Service. These may include:

- Control and tenure documentation (deeds, easements, leases)
- Copy of issued Army Corps of Engineers permit, if required.
- Section 6(f)(3) boundary map
- Environmental Assessment (or Environmental Impact Statement, if

required)

- Milestones (project timeline)
- Federal Assurances (SF 424B or D)
- Federal form DI-2010

Upon receipt of these documents, IAC will prepare and submit the application to the National Park Service for review and approval. Upon federal approval, the IAC then prepares and issues a LWCF Project Agreement that includes both the General Provisions of the IAC and the federal LWCF Program.

**Control and Tenure** For development projects, the project sponsor must have title or adequate control and tenure of the project area in order to provide reasonable assurances that a conversion under Section 6(f)(3) of the LWCF Act will not occur without NPS approval. Copies of the property titles, leases, easements, or other appropriate documents must be on file at the state level and available for federal inspection.

***Leased Properties:*** No approval will be given for development of facilities on leased land except for property either leased from the federal government for 25 years or more or leased from one public agency to another for 25 years or more, provided that safeguards are included to adequately ensure the perpetual use requirement contained in the LWCF Act.

**Corps Permits** Sponsors of projects that require any Army Corps of Engineers permit must provide a copy of the issued permit before Project Agreement execution.

**Delayed Development** Funding assistance may be available to acquire property for which the development of outdoor recreation facilities is planned at a future date. In the interim between acquisition and development, the property must be open for those public recreation purposes that the land is capable of supporting, or which can be achieved with minimum public investment.

Non-recreation uses, such as timber management, grazing and other natural resource uses not including agriculture may be carried out within the area if they are:

- Clearly described in the project application.
- Compatible with and secondary to outdoor recreation use, and
- Approved by NPS.

Non-recreation uses such as agriculture occurring on the property at the time of acquisition may continue for up to three years, contingent upon IAC and NPS approval. A project sponsor will not receive payment on the project until the non-recreation use is terminated.

If development will be delayed more than two years from the date of acquisition, the project sponsor must include the following information in the application:

- Why immediate acquisition of the property is necessary;
- What facilities will be developed and when;

- ▶ The type of recreation access that will be provided during the interim period;
- ▶ What, if any, non-recreational uses will be continued on the property and when will they be terminated;
- ▶ Assurance that non-recreational uses will be terminated within three years from the date of acquisition.

**Project Boundaries –  
Section 6(f)(3) of the  
LWCF Act**

Section 6(f)(3) of the LWCF Act contains provisions to protect Federal investments and the quality of assisted resources. The law is firm but flexible. It recognizes that changes in land use or development may make some assisted areas obsolete over time, particularly in rapidly changing urban areas. At the same time, the law discourages casual “discards” of park and recreation facilities by ensuring that changes or “conversions from recreation use” will bear a cost – a cost that assures taxpayers that investments in the “national recreation estate” will not be squandered. The LWCF Act contains a clear provision to protect grant-assisted areas from conversions:

*Section 6(f)(3) No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversions only if [s]he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as [s]he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.*

This “anti-conversion” requirement applies to all parks and other sites that have been the subject of LWCF grants of any type, whether for acquisition, development or renovation of facilities. In many cases, even a relatively small LWCF grant (e.g. for development of a picnic shelter) in a park of hundreds or even thousands of acres provides anti-conversion protection to the entire park site.

To ensure the continued effectiveness of Section 6(f)(3) protection, several management tools have been developed to monitor and correct changes in assisted sites from year to year. For example, the NPS requires on-site inspections of all grant-assisted areas and facilities at least once every five years, most of which are conducted by cooperating state agencies.

**6(f)(3) Boundary Map.** One of the most important attachments to the project application is the “6(f)(3) project boundary map.” With each application, the grantee submits a project boundary map showing the park area to be covered by Section 6(f)(3) anti-conversion protections. This map need not be a formal survey document, but should contain enough site-specific information to serve several purposes:

- ▶ It ensures that both the grantee and the administering agency agree on the property boundaries of the covered site at the time of project approval.
- ▶ It provides location, size indicators, and a picture of key facilities and landmarks to help project inspectors better identify and evaluate the site.

The significance of the project boundary should clearly delineate the area to be included under the conversion provisions of Section 6(f)(3) of the LWCF Act.



All land within the project boundary must be dedicated in perpetuity to public outdoor recreation. At a minimum, this area must be a viable public outdoor recreation area that is capable of being self-sustaining without reliance upon adjoining or additional areas not identified in the scope of the project. Except in unusual cases where it can be shown that a lesser unit is clearly a self-sustaining outdoor recreation resource, the area to include within the 6(f)(3)-boundary map will include the larger park, open space, or recreation area being developed or added to. Any change of use of the property within the boundary for other than public outdoor recreation purposes will require replacement of the converted land.

The requirements for this map are:

1. Use a sheet size 8 1/2" x 11" or a multiple thereof, to allow for filing. The maximum size of any one sheet should be 22" x 34".
2. The map must be to scale, show the scale, and the scale should be sufficient to clearly distinguish the pertinent features of the park. The map must use a bar scale – a relational scale is not sufficient.
3. The map must be dated and show park name and a north directional arrow.
4. The park boundary line must be shown and if there is a difference between the park boundary and project boundary, this must also be clearly shown.
5. All existing facilities, including utilities must be shown. If there has been a previous LWCF project within the park boundary, that project number should be shown on the map, indicating the funded items.
6. Indicate all of the facilities to be included in the project application, either by appropriate notes or by color-coding.
7. All proposed facilities to be constructed in the future should also be shown, if known. The future facilities may be shown to scale or by notes indicating general use areas such as "future picnic area" or "future ballfield."
8. The map must show all known outstanding rights and interests in the area. Known easements, deed/lease restrictions, and reversionary interests are to be included.

The map must be sufficient to legally identify the lands to be afforded protection under Section 6(f)(3) of the LWCF Act. The following are acceptable methods for referencing property boundaries: deed, references adjoining ownerships, adjoining easements of record, adjoining water bodies or other natural landmarks, metes and bounds, government survey, or measurements from permanent locators. A formal survey is not required.

#### Environmental Assessment

The environmental effects of a project submitted for LWCF assistance are evaluated through the preparation of environmental data on the intended action. In 1969, the National Environmental Policy Act (NEPA) was passed to ensure a uniform national policy on evaluating the environmental impacts of federally funded projects. This Act requires the preparation of Environmental Impact Statements (EIS) for all federally funded projects that may result in significant adverse effects to the environment. All LWCF grant projects are subject to the provisions of NEPA and the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA and must have environmental data to determine the impact of the proposed action. The

documentation supplied in the Environmental Assessment (EA) will allow NPS to determine if a more detailed EIS is required.

Two copies of an environmental analysis entitled “Environmental Assessment,” which includes the following **four sections, must accompany all project applications**:

Section 1: *The proposed action*. This section should include a description of the proposed project and the surrounding environment, a statement regarding the need for it, a description of what the action is designed to accomplish, location of the project, its scope, the level of impact-causing activities associated with the project, when the action is to take place, and if applicable, its relation to other Federal, State, or local projects and proposals.

Section 2: *Alternatives to the proposed action*. This section should explain the reasonable alternatives to the proposed action, including the “No Action” alternative. The explanation should center upon the alternatives that were actually examined during the planning process and why each was not selected.

Section 3: *Environmental impacts of the proposed action*. Succinctly describe those environmental elements that would be affected. Discuss anticipated positive and negative impacts on the following elements and any means to mitigate adverse environmental impacts to:

- Air and water quality
- Consumption of energy resources
- Fish and wildlife, including threatened and endangered species
- Geology and soils
- Historic/archaeological /resources
- Land use (project site and surrounding area)
- Mineral resources
- Socio-economic effects
- Transportation access
- Vegetation
- Water resources/hydrology including wetlands and flooding

To the extent appropriate, the document will discuss impacts of the action, including environmental damage, which could be caused by users, upon the physical and biological environment as well as upon cultural, aesthetic, and socio-economic conditions. Elements of impacts, which are unknown or only partially understood, should be indicated. Any off-site impacts, such as increased traffic on neighborhood roads or increased noise levels in surrounding areas, should be described.

Section 4: *Listing of agencies and persons consulted*. List the individuals and agencies (see appendix B for a suggested list of agencies) that were consulted during the conception of the project and the Environmental Assessment. Summarize the comments received from those consulted even if “no comment”. See the section on Intergovernmental Review.

It is very important that the information provided is accurate and objective.



Deceptive analysis of potential impacts could lead to the withdrawal of federal funds from the project, repayment of already reimbursed funds, or potential court action against the project sponsor. The following suggestions will assist in the preparation of the report:

- Keep the environmental information free of project justification and personal bias. The project presumably is fully justified elsewhere in the Assessment.
- Do not rely on generalities - specific facts are essential. General statements and all allegations should always be supported and quantified where possible.
- Use of maps, sketches, and related graphics to help explain the project are of great value. Pictures often help reduce lengthy narrative materials.
- Writing style should be kept clear and concise.
- Adverse impacts should be addressed as fairly as the beneficial impacts.

In most instances, the EA should be no longer than 5 – 7 pages.

**State Historic  
Preservation Office**

Before IAC submits the grant request to NPS, notice is sent to the State Historic Preservation Office (SHPO) for review of the potential impact on existing historical, archeological, or cultural resources. Prior to submitting an application, project sponsors should research records of the local historic society, library, county recorder, concerned tribes, local residents, and other knowledgeable groups or individuals, to determine whether the project site has any historical, archeological or cultural significance. The Environmental Assessment should include a description of the research that was done, including the names of individuals, organizations and sources contacted.

If research shows that historical, archaeological, or cultural resources do exist, they should be identified and a description of how the resources will be protected must be included in the Environmental Assessment.

In some cases, SHPO may determine that a professional Archaeological and Cultural Survey must be performed to determine whether or not archaeological or cultural resources will be affected by the proposed project. This must be completed before the project can be submitted to NPS for approval.

**Intergovernmental  
Review**

To receive LWCF grant funding, sponsors have the obligation of notifying directly affected state, area wide and regional agencies, and local governments of proposed actions. This may be accomplished through publication of the project notice in the Federal Register or (preferred) through direct submission by the applicant through a notice to various interested agencies. Such notices should include a detailed description of the proposal, an address where comments may be forwarded, and the deadline for comment. A 60-day comment period is suggested.

**Signing**

Signs indicating LWCF assistance for an acquisition and/or development project are required at all fund assisted sites.

***Temporary Signs.*** All development projects will be temporarily signed from the commencement of construction until a permanent sign is installed. Signing

of acquisition projects may be delayed until the acquisition of all parcels and all relocations have occurred. A temporary sign must be installed upon the completion of the final acquisition for a period of not less than six (6) months or until replaced by the permanent sign.

Unless precluded by local sign ordinances, the minimum size of the signs will be 2 feet by 3 feet. There is no maximum size for signage. The temporary sign is an eligible project item. One-half of the cost is reimbursable. The temporary sign could be included as part of the contract items.

Temporary signs must contain the following information:

Sponsoring Agency Name
Public Outdoor Recreation Site Acquisition or Development
AIDED BY
The Land and Water Conservation Fund
ADMINISTERED BY THE
Washington State Interagency Committee for Outdoor Recreation
National Park Service, U.S. Department of the Interior
LWCF XX% (Dollar Amount)
Sponsoring Agency Name XX% (Dollar Amount)
TOTAL PROJECT (Dollar Amount)
LWCF Revenue from Outer Continental Shelf Receipts, Motorboat Fuel Tax and Sale of Surplus Federal Properties

***Permanent Signs*** acknowledging LWCF participation are required by federal guidelines for all fund assisted project sites. Signs can be provided by IAC and must be displayed at the project site.

## SECTION 3 – OPEN PROJECT SELECTION PROCESS

### Land and Water Conservation Fund Program Evaluation Criteria

*The Land and Water Conservation Fund is a federally funded grant program administered by the IAC to assist in preserving and developing public outdoor recreation lands and facilities for the benefit of all citizens. (LWCF Act of 1965, Public Law 88-578, 78 Stat 897)*

<b>LWCF - CRITERIA ANALYSIS</b>						
Score	#	Title	A/D/R*	Score (& Multiplier)	Maximum Points	Focus
Team	1	Need	All	0-5 (x 3)	15	SCORP
Team	2	Consistency with SCORP	All	0-5 (x 2)	10	SCORP
Team	3	Individual Active Participation	All	0-5 (x 2)	10	LWCF
Team	4	Acquisition	A	0-5	5	SCORP
Team	5	Stewardship/Renovation	R	0-5	5	SCORP
Team	6	Development Quality	D	0-5	5	SCORP
Team	7	Project benefit	All	0-5	5	SCORP
IAC Staff	8	Previous LWCF Grants	All	0-1	1	SCORP
IAC Staff	9	Population Proximity	All	0-1	1	State
TOTAL POINTS POSSIBLE: = 47						

#### KEY TO PRECEEDING TABLE

Team = Criterion scored by the evaluation team  
 IAC Staff = Criterion scored by IAC staff  
 A, D, R = Criterion applicable to Acquisition, Development, or Renovation projects  
 LWCF = Criteria a priority for the Land and Water Conservation Fund  
 SCORP = Criterion supported by the State Comprehensive Outdoor Recreation Plan

## **Team Scored**

### **Question 1. Need. What is the need for the project? (All proposals.)**

Consider the goal of the project and how it relates to the service area:

- Inventory of existing sites and facilities
- Populations or activities that are unserved or underserved
- Amount of use of existing sites
- Potential use of proposed sites
- How the project meets identified need
- Whether the project named by location or type as a priority in an adopted plan such as a community's comprehensive plan, a state agency capital improvement plan, a park/open space plan

Examples:

- A proposal to develop a new sport fields to address an identified and documented shortage could receive a high score. A proposal for a sports field not identified in plans or relevant studies supporting the need may receive a lower score.
- A proposal for acquisition of land for a new community park in a service area that has no park land could receive a high score. A proposal to acquire land to expand an existing park, in a service area that has several parks may also receive a high score if the need for the expansion is supported.
- A proposal for building a community trail in a location or service area with few existing trails could receive a high score. A proposal to develop a trail in a location or service area where many other opportunities exist may receive a lower score. (Note: The applicant should define "community.")

Evaluators award 0-5 points that are later multiplied by 3.

**Question 2. Consistency with the state comprehensive outdoor recreation plan (SCORP). To what extent does the project address one or more LWCF priorities identified in SCORP?  
(All proposals.)**

The most recent SCORP document is *An Assessment of Outdoor Recreation in Washington State* (IAC, 2002). The *Assessment* identifies three priorities for LWCF grant-in-aid support:

- Community-based trails serving multiple benefits including recreation, the encouragement of physical activity, and non-motorized personal mobility. The focus is on trails that serve walking and bicycling, especially those trails that provide connectivity between places where people live, work, and play.
- Stewardship of existing sites and facilities. "Renovation" means actions taken to restore a site or facility to its originally intended use and to its originally intended capacity.
- The integration of low-impact non-consumptive human activities with natural settings. Most current grant programs support the idea that human use is inconsistent with natural settings, especially wildlife habitat areas; LWCF encourages projects that give people physical access to natural settings, including habitat areas, in a manner that does not cause harm to habitat values. "Non-consumptive" activities include wildlife viewing, photography, study, walking, and bicycling. Fishing and hunting are considered consumptive activities.

How well does the proposed project address any of these priorities?

Projects addressing more than one priority may not necessarily score higher than a project addressing one priority in an outstanding manner.

Evaluators award 0 to 5 points that are later multiplied by 2.

**Question 3. Individual Active Participation. How well does the proposed project provide opportunities for individual active participation in outdoor recreation? (All proposals.)**

*The Land and Water Conservation Fund Act of 1965 was enacted to "...assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations... such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation...." (Public Law 88-578, 78 Stat. 897).*

Individual active participation is found in a set of circumstances that allows someone the opportunity to enjoy recreation sites and facilities without belonging to a special group such as a school class, league, or club. Individual active participation requires direct physical access to land and facilities.

Example: A wildlife or natural area acquisition project that incorporates meaningful public access, such as viewpoints, observation blinds, interpretive panels, and interpretive trails would likely score well for individual active participation. A similar acquisition with a provision to set aside preferential hours only for school groups, researchers, or scientists would likely receive a low score.

Example: A proposal for an active park open for general activities such as walking, bicycle riding, and "pick-up" ball games would likely receive a higher score than a proposal for a ballfield intended primarily for league play.

Evaluators award 0 to 5 points that are later multiplied by 2.

**Question 4. Acquisition. Why purchase this particular property at this time?  
(Acquisition projects only.)**

Why is the property desirable or necessary for acquisition?

- Are there similar sites available in or near the service area, or is this property a one-of-a-kind opportunity to address a recreation need? Where no alternatives exist, or where a property is truly unique, a higher score may be justified.

What is the quality of the site's functional and aesthetic values? Is the property well suited for the intended uses? Consider the property's:

- Size,
- Topography,
- Soil conditions,
- Natural amenities,
- Potential access, and
- Location.

What is the risk to the public if the site is not acquired with LWCF funds at this time? Acquisition proposals for property under a demonstrably higher degree of risk could score higher than proposals under less risk or threat.

- If the property is not purchased immediately, how likely is it that the site will be permanently lost for public recreational uses?
- What steps have been taken to reduce any risk?

Evaluators award 0 to 5 points.

**Question 5. Stewardship. To what extent will the renovation project return a site or facility to its original use and capacity? How well will the project protect a previous public investment in an outdoor recreation site or facility?  
(Renovation projects only.)**

“Stewardship” is the care and protection of sites and facilities to ensure continued public use over time. “Renovation” means actions taken to restore a site or facility to its originally intended use and to its originally intended capacity.

Public involvement for SCORP revealed a high level of concern about the poor condition of recreation sites and facilities statewide. LWCF has been identified as an important tool that can be used to address renovation-oriented stewardship needs lacking financial support from other sources, especially for local and state parks.

Evaluators should consider:

- The original use of the site or facility, and how the project intends to serve that use in the future. A proposal to restore a currently underused site to its originally intended capacity should score high.
- Whether significant values, in addition to recreation, are present or preserved. Values could be historic, cultural, scenic, or educational. For example, a recreation facility of historic value (e.g., the first facility of its kind in the state) should score higher than a facility with no historic value.
- Maintenance and operation (M&O) resources and record of the managing entity: Proposals to correct problems that have come about due to circumstances beyond the control of the manager should score higher than projects with problems associated with normal “wear and tear.”

Evaluators award 0 to 5 points.



**Question 6. Development . What is the quality of a proposed development?  
(Development Projects only.)**

LWCF investment calls for a meaningful return of recreation opportunity over time. While it is understood that structures and facilities do not last forever, it is important that development projects are well designed and well executed.

In addition to functional aspects, it is important to measure the quality of the aesthetic aspects of a development proposal, particularly related to the site and the proposed uses.

Some design elements that may be considered include:

- Site suitability
- Phasing
- User Friendly/Barrier Free
- Materials
- Space Relationships
- Maintenance
- Recreation Experiences
- Risk Management
- Aesthetics
- Ease of general access (e.g., transportation)
- Accuracy of Cost Estimates
- Readiness to proceed (e.g., permits in hand)
- Environmental sensitivity or protection

Evaluators award 0-5 points

**Question 7. Project benefits. How does the project demonstrate measurable benefits that can be expected from the investment of LWCF?**  
***(All proposals.)***

Project proposals should articulate the measurable benefits of the project. Measurable benefits could include the following:

- Completion of priority projects found in an adopted plan.
- Acres of park land, miles of trail or pathway, numbers and types of species addressed by a habitat or natural area acquisition.
- Development or renovation of a new facility with projected use capacity that addresses a measured demand (e.g., the number of people who are expected to walk or bicycle on a community trail compared to data showing the number of people in a service area who report actual or desired participation in walking or bicycling).
- Documented agreements such as signed commitments of volunteer labor, cash, or in-kind donations or contributions from individuals or groups that demonstrate community involvement.
- Signed agreements that demonstrate an unusual, creative, or cost-effective inter-government or public-private cooperation.

Benefits supported in a measurable or quantifiable manner should score higher than benefits presented in an anecdotal manner.

Evaluators award 0-5 points

## Scored by IAC Staff

### **8. Previous LWCF Grants. Has there been previous LWCF investment in the proposed project site or facility? (All proposals.)**

Has the project been supported with a previous LWCF grant?

Yes	1 point
No	0 points

### **9. Population Proximity. Is the project site located in a populated area? (All proposals.)**

IAC is required by state law to give funding preference to projects located in “urban areas” (RCW 79A.25.250). “Urban areas” are defined as any incorporated city with a population of 5,000 or more, or a county with a population density of 250 or more people per square mile.

Is the project located in an area meeting this definition?

Yes	1 point
No	0 points

## SECTION 4 – POST-COMPLETION REQUIREMENTS

### POST-COMPLETION RESPONSIBILITIES AND INSPECTIONS

Post-completion inspections are required on all projects, both acquisition and development. The first post-completion inspection will be completed five years after final payment is made and then at five-year intervals afterward.

The purpose of these inspections is to ensure that the property acquired and/or developed with LWCF assistance is being operated and maintained so as to appear attractive and inviting to the public; sanitation and sanitary facilities are being maintained in accordance with applicable health standards; properties are being kept reasonably safe for public use; buildings, roads, trails and other structures and improvements are being kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use; and that the facilities are open for public use at reasonable hours and times of the year, according to the type of area or facility.

On-site post-completion inspections include the following points:

- ▶ **Retention and Use.** Is the property being used for the purposes intended?
- ▶ **Appearance.** Is the property attractive and inviting to the public?
- ▶ **Maintenance.** Is upkeep and repair of structures and improvements adequate? Is there evidence of poor workmanship or use of inferior quality materials or construction? Is vandalism a problem?
- ▶ **Management.** Does staffing and servicing of facilities appear adequate?
- ▶ **Availability.** Is there evidence of discrimination? Is the property readily accessible and open to the public during reasonable hours and times of the year?
- ▶ **Environment.** Is the quality of the area being maintained?
- ▶ **Signing.** Is the area properly signed to allow for user information and safety, and proper acknowledgement of the Land and Water Conservation Fund assistance received?
- ▶ **Interim Use.** Where lands have been acquired but not yet developed, the inspection should determine whether the interim use being made of the property, if any, is as agreed to by the Service.
- ▶ **Accessibility.** Is the area or facility accessible by handicapped or disabled persons? Have lips, grades and slopes that prevent use by all persons been eliminated?

Under Title VI of the 1964 Civil Rights Act, property acquired or developed with LWCF assistance shall be open to entry and use by all person regardless of race, color, or national origin. Section 6(f)(8) of the LWCF Act and 36 CRF 59.4 provide that with respect to property acquired or developed with LWCF assistance, discrimination on the basis of residence, including preferential reservation, membership, annual permit systems is prohibited except to the extent that differences in admission and other fees may be maintained on the basis of residence.

Section 504 of the Rehabilitation Act of 1973 requires that no qualified person

shall on the basis of handicap be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives benefits from federal financial assistance.

Project sponsors may impose reasonable limits on the type and extent of use of areas and facilities acquired or developed with LWCF assistance when such a limitation is necessary for maintenance or preservation. Thus limitations may be imposed on the numbers of persons using an area or facility or the type of users, such as "hunters only" or "hikers only". All limitations shall be in accord with the application agreements and amendments.

**CONVERSION,  
CHANGE OF USE OF  
PROPERTY**

The LWCF Act requires that all property acquired or developed with LWCF funds must be dedicated in perpetuity exclusively to public outdoor recreation use. The affected area is denoted by the "project boundary" as shown on the map or maps accompanying the application, and is normally the boundary of the park that is to be acquired or developed. The project boundary cannot be less than the area acquired with LWCF monies but sometimes is less than the total area of the park on development projects. If there is exclusion, the reason for making the exclusion must be stated on the map and explained in the Program narrative. Typical reasons would include an existing or proposed community center within the park, or lease of land to a non-profit organization (such as the Boy Scouts) in a large wilderness type park. Exclusions will require IAC and NPS approval.

Section 6(f)(3) of the LWCF Act requires that no property acquired or developed with LWCF assistance shall be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior. The substitution must be in accord with the SCORP and of at least current fair market value and of reasonable equivalent usefulness and location.

Conversions generally occur when property interests are:

1. Conveyed for non-public outdoor recreation uses;
2. Non-recreation uses (public or private) are made of the project area, or a portion thereof;
3. Non-eligible indoor recreation facilities are developed within the project area without State or National Park Service approval;
4. Public outdoor recreation use of property acquired or developed with LWCF assistance is terminated.
5. Exceptions:
  - a. Underground utility easements that do not have significant impacts on the current or future recreational utility of the park will not constitute a conversion.
  - b. Proposals to construct public facilities or to shelter or enclose LWCF assisted or non-assisted outdoor recreation facilities without LWCF assistance, where it can be shown that there is a gain or increase benefit to public recreational opportunity may not constitute a conversion. Final review and approval will be made on a case-by-case basis by NPS.

**OBSOLETE FACILITIES, CHANGES OF USE**

Project sponsors are not required to continue operation of a recreation area or facility beyond its useful life. However, Section 6(f)(3) of the Act requires that project sponsors maintain the entire area defined in the project agreement in some form of public outdoor recreation use. NPS approval should be obtained prior to any change from one eligible use to another when the proposed use would significantly alter the original plans for the area. NPS approval is not necessarily required however, for each and every facility use change.

To assure that facility changes do not significantly alter the original project agreement, the sponsor must notify IAC of all proposed changes in advance of their occurrence. IAC and NPS will make a determination of whether a formal review and approval process will be required.

**Determination that a Facility is Obsolete.**

Notwithstanding neglect or inadequate maintenance on the part of the project sponsor, a recreation area or facility may be determined to be obsolete if:

1. Reasonable maintenance and repairs are not sufficient to keep the recreation area or facility operating;
2. Changing recreation needs dictate a change in the type of facilities provided;
3. Park operating practices dictate a change in the type of facilities required; or
4. The recreation area or facilities is destroyed by fire, natural disaster, or vandalism.

*LWCF Grants Manual 675.9.4(B.)*

A project sponsor may permit the use of a facility to be discontinued or allow a particular type of recreation use of the area to be changed provided that the project sponsor submits acceptable justification to the state. If in the judgment of the state, the facility is needed and was lost through neglect or inadequate maintenance then replacement facilities must be provided at the current value of the original investment.

**PUBLIC FACILITIES**

NPS will only consider requests to construct sponsor funded public facilities if the following prerequisites and criteria have been met. All requests must be made in writing and in advance of construction of the Public Facility.

1. All design and location alternatives have been adequately considered, documented and rejected on a sound basis.
2. The proposal has been adequately reviewed by the State and recommended by the State Liaison Officer.
3. Use of the facility will be compatible with outdoor recreation and will increase outdoor recreation use; and recreation use remains the overall primary function of the site.
4. The proposed structure is compatible and significantly supportive of the outdoor recreation resources of the site, whether existing or planned. The park's outdoor recreation use must continue to be greater than that expected for any indoor uses, unless the site is a single use facility which virtually occupies the entire site. Examples of uses which would not ordinarily be approved include, but are not limited to: a community

**SECTION 4 ~ POST-COMPLETION REQUIREMENTS**

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recreation center which takes up all or most of a small park site, police stations, fire stations, professional sports facilities or commercial resort or other facilities which a) are not accessible to the general public, or b) require memberships, or c) due to high user fees have the effect of excluding elements of the public, or d) which include office, residential or elaborate lodging facilities.

5. Potential and future benefits to the total park's outdoor recreation utility must be identified in the proposal. Any costs or detriments should be documented and a net recreation benefit must result.
6. The proposed facility must be under the control and tenure of the public agency which sponsors and administers the original park area.
7. The proposal has been subjected to public review Public comment providing evidence of public support must accompany the proposal.
8. All applicable federal requirements for approval and operation are met.

## APPENDIX A: OTHER FEDERAL ACTS AND LAWS

### IMPACT OF OTHER FEDERAL ACTS AND LAWS

The Land and Water Conservation Fund is a single-purpose grant program for acquisition and development of land for public outdoor recreation facilities. When federal funds are used, applicants must comply with all applicable federal laws. A statement on the effect of the project on the relevant subjects in Table 1., below, must be included in the environmental assessment.

Projects awarded LWCF grants are subject to the provisions of the *LWCF Grants Manual* (U.S. Dept. of Interior, National Park Service). The following summarizes many of these requirements that may apply:

1. Construction contracts over \$10,000 must:
  - a) Award such contract(s) through competitive bidding - copies of all advertisements, bids, and contracts must be sent to IAC.
  - b) Include the following statement in all press releases, requests for proposals, bid solicitations, agreements, and other documents describing the project -  
  
 “This project is assisted by a \$ [INSERT DOLLAR AMOUNT] federal grant, which is [INSERT PERCENTAGE] percent of its total construction cost.”
  - c) Include a statement in compliance with the Copeland Anti-Kickback Act.
  - d) Include the approved anti-discrimination statement.
2. Affirmative Action. Some projects are affected by federal Hometown Plan Affirmative Action requirements regarding construction contractors. IAC will notify the sponsors of such projects.
3. Projects over \$500,000. Such projects must display temporary acknowledgment signs. IAC will provide sign specifications. The signs must be in place from the time of closing for acquisition projects and from the start of construction through completion in development projects.
4. Corps Permits. A copy of any required Army Corps of Engineers permit must be provided to IAC before Project Agreement execution.

Sponsors are responsible for compliance with the following Public Laws (P.L.), Executive Orders (E.O.), Codes (C.F.R. and U.S.C.) and Budget Circulars.

**Table 1. Other Federal Acts and Laws**

a) Antiquities Act of 1906	(16 U.S.C. sec 431)
b) Americans With Disabilities Act of 1990	(Titles II, III)
c) Archaeological and Historic Preservation Act of 1974	(P.L. 93-291, 16 U.S.C. sec. 469a-1, as amended)
d) Architectural Barriers Act of 1968	(P.L. 90-480)
e) Civil Rights Act of 1964	(Title VI; P.L 88-352, 42 U.S.C. Sec's. 2000d to 2000d-4)
f) Clean Air Act	(42 U.S.C. 7609)
g) Clean Water Act	(33 U.S.C. sec. 1288, 1314, 1341,



**APPENDIX A: OTHER FEDERAL ACTS AND LAWS**

	1342, 1344)
h) Coastal Zone Management Act of 1972	(P.L. 92-583; 16 U.S.C. sec 1451, 1456)
i) Contract Work Hours and Safety Standards Act and Implementing Regs.	(40 U.S.C. 327-330; 29 C.F.R. 5)
j) Cultural Environment, Protection and Enhancement of	(E.O. 11593)
k) Drug-Free Workplace Act of 1988	(P.L. 100-690; 41 U.S.C. 701 et. seq.)
l) Endangered Species Act of 1973	(P.L. 93-205, 16 U.S.C. sec. 1531 et. seq.)
m) Environmental Policy Act of 1969, The National	(P.L. 91-190, as amended; 42 U.S.C. 4321 et. seq.)
n) Environmental Quality, Protection and Enhancement of	(E.O. 11514, 11991)
o) Equal Employment Opportunity	(E.O. 11246)
p) Estuarine Areas, Federal Act for Protection and Restoration of	(P.L. 90-454)
q) Fish and Wildlife Coordination Act	(16 U.S.C. sec 661, 662)
r) Flood Hazards in Locating Facilities, Evaluation of	(E.O. 11296)
s) Flood Disaster Protection Act of 1973	(P.L. 93-234; 12 U.S.C. sec. 24, 1701-1 supplement.)
t) Flood Plain Management	(E.O. 11988)
u) Grant and contract cost principles for state and local governments for application, acceptance, and use of federal funds	(Office of Management and Budget Circular A-87)
v) Grants-in-aid to state and local governments uniform administrative requirements	(Office of Management and Budget Circular A-102)
w) Highway Act of 1973, Federal-Aid	(P.L. 93-87)
x) Historic Preservation Act of 1966, National	(P.L. 88-655; 16 U.S.C. sec 470, et. seq.)
y) Intergovernmental Review of Federal Programs	(E.O. 12372)
z) Land and Water Conservation Fund Program of Assistance to States; Post- Completion Compliance Responsibilities	(36 C.F.R. Part 59)
aa) Lobbying With Appropriated Funds, Restrictions on	(P.L. 101-121 sec. 319; 31 U.S.C. sec. 1352)
bb) Minority Business Enterprise Development	(E.O. 12432)
cc) Nonprocurement Debarment and Suspension	(43 C.F.R. 12.100-.510)
dd) Petroleum and Natural Gas, Conservation	(E.O. 12185)
ee) Power Plant and Industrial Fuel Use Act of 1978	(P.L. 95-620)
ff) Rehabilitation Act of 1973	(P.L. 93-112, sec. 504, as amended)

gg) Relocation Assistance and Real Property Acquisitions Policy Act of 1970, Uniform	(P.L. 88-352, 42 U.S.C. secs. 2000d-2000d-4)
hh) Rivers and Harbor Act of 1899	(33 U.S.C., sec. 401 et. seq.)
ii) Single Audit Act of 1984, O.M.B. implementation; supersedes circular A-102	(Office of Management and Budget Circular A-128)
jj) Wetlands Resources Act of 1986, Emergency	(P.L. 99-645)
kk) Wetlands, Protection of	(E.O. 11990)
ll) Water Pollution, Prevention, Control and Abatement of	(E.O. 11288)
mm) Wild and Scenic Rivers Act of 1968	(P.L. 90-542; 16 U.S.C. 1274 et. seq.)

## **APPENDIX B: SUGGESTED REVIEW AGENCIES TO CONSULT WHEN PREPARING AN ENVIRONMENTAL ASSESSMENT**

- › Concerned Tribes
- › Council of Governments
- › Environmental Protection Agency
- › Federal Aviation Administration
- › Interested City and County Councils, Departments, Boards, Etc.
- › Minerals Management Service
- › National Marine Fisheries Service
- › National Oceanic and Atmospheric Administration
- › Office of Energy is this state or federal?
- › Public Health Department
- › Public Interest Groups
- › Salmon Recovery Funding Board
- › School Districts
- › State Department of Agriculture – Natural Resources Division
- › State Historic Preservation Officer
- › State Water Resources Agency
- › U.S. and Washington Department of Energy
- › U.S. and Washington Department of Transportation
- › U.S. Army Corps of Engineers
- › U.S. Bureau of Indian Affairs
- › U.S. Bureau of Reclamation
- › U.S. D.A. Agriculture and Forestry Experimental Station
- › U.S. Fish & Wildlife Service
- › U.S. Geological Survey
- › U.S. Soil Conservation Service
- › Washington Department of Ecology
- › Washington Department of Fish & Wildlife
- › Washington Department of Natural Resources